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ATTORNEYS FOR
HIGH PLAINS RADIO NETWORK, LLC,
DEBTOR AND DEBTOR IN POSSESSION

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:	§	
HIGH PLAINS RADIO NETWORK, LLC,	§	CASE NO. 24-70089-swe
	§	(Chapter 11, SubV)
	§	
	§	<u>EXPEDITED HEARING REQUESTED:</u>
DEBTOR.	§	December 19 or 20, 2024
	§	By WebEx / in Dallas Texas

MOTION TO EXTEND USE OF CASH COLLATERAL

TO THE HONORABLE SCOTT W. EVERETT, U.S. BANKRUPTCY JUDGE:

High Plains Radio Network LLC, the debtor and debtor in possession (“HPRN” or the “Debtor”), file this *Motion to Extend Use of Cash Collateral* (the “Motion to Use Cash Collateral” or the “Motion”) and in support thereof would show to the Court the following.

EXPEDITED HEARING REQUESTED

1. Debtor concurrently has filed a separate motion seeking expedited consideration of this motion on December 19, 2024 or December 20, 2024.
2. The Debtor by this motion and the attached budget **EXHIBIT H046** seeks to extend the authority to use cash collateral in accordance with the attached budget, through and until the week of January 27, 2025.

BACKGROUND AND BASIS OF RELIEF

3. The Debtor by this motion and the attached budget **EXHIBIT H046** seeks to further extend the authority to use cash collateral in accordance with the attached budget, through and until the week of January 27, 2025.

4. Debtor seeks interim authorization for the extension, followed by a final hearing.

5. Alternatively, based upon prior hearings and authorizations, Debtor requests, on a final basis and without the necessity of an additional hearing, extension of the existing and/or previous final cash collateral authority, with the addition of the notice-only extension procedure contained in Paragraph No. 18 of the proposed order below.

6. A proposed order accompanies this Motion and is incorporated by reference herein.

CONCLUSION AND PRAYER

WHEREFORE, High Plains Radio Network LLC, Debtor and Debtor in Possession, respectfully requests that an expedited hearing be held on this Motion and that the Court immediately grant the Debtor's use of cash collateral according to the budget, **Exhibit H046** through and until the week of January 27, 2025. The Debtor further requests such other and further relief to which the Debtor is entitled at law or in equity.

Dated: December 12, 2024

Respectfully submitted:

WEYCER, KAPLAN, PULASKI & ZUBER, P.C.

By: /s/ Jeff Carruth
JEFF CARRUTH (TX SBN: 24001846)
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Dallas, TX 75204-2514
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ATTORNEYS FOR
HIGH PLAINS RADIO NETWORK, LLC
DEBTOR AND DEBTOR IN POSSESSION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on December 12, 2024 (1) by electronic notice to all ECF users who have appeared in this case to date, and/or as set forth below and (2) by regular mail to all parties appearing in the attached address list (i.e. mailing matrix).

**COPIES OF THE EXHIBITS WERE NOT SERVED BY REGULAR MAIL. PLEASE
CONTACT THE UNDERSIGNED IF YOU WISH TO RECEIVE THE EXHIBITS.**

/s/ Jeff Carruth
Jeff Carruth

ECF SERVICE LIST

24-70089-swe11 Notice will be electronically mailed to:

Christopher V. Arisco on behalf of Creditor Midland States Bank d/b/a Midland Equipment Finance
carisco@padfieldstout.com

Owen Colin Babcock on behalf of Creditor Balboa Capital Corporation
obabcock@padfieldstout.com

Jeffery D. Carruth on behalf of Debtor High Plains Radio Network, LLC
jcarruth@wkpz.com,
jcarruth@aol.com; atty_carruth@trustesolutions.com;
carruthjr87698@notify.bestcase.com; ATTY_CARRUTH@bluestylus.com; jcarruth@ecf.courtdrive.com

Paul H. Cross on behalf of Creditor Hanmi Bank
phclease@msn.com

JaKayla DaBera on behalf of Creditor BankFinancial, N.A.
jdabera@krcl.com,
jdabera@ecf.courtdrive.com; ecf@krcl.com

John Easter on behalf of Creditor Pawnee Leasing Corporation
jeaster@padfieldstout.com

Shanna M. Kaminski on behalf of Interested Party Union Funding Source, Inc.
skaminski@kaminskilawpllc.com

Sherrel K. Knighton on behalf of Creditor Malakoff ISD
Sherrel.Knighton@lgbs.com, Dora.Casiano-Perez@lgbs.com; Sean.French@lgbs.com; Eva.Parker@lgbs.com; Alexis.Hall@lgbs.com; Dallas.Bankruptcy@lgbs.com

Matthew F. Kye on behalf of Creditor Amur Equipment Finance, Inc.
mkye@kyelaw.com, dsullivan@kyelaw.com

Julie Anne Parsons on behalf of Creditor Eastland County Appraisal District
jparsons@mvbalaw.com,
karla.alexander@mvbalaw.com; theresa.king@mvbalaw.com; juanie.montalvo@mvbalaw.com; julie.parsons@ecf.courtdrive.com

Julie Anne Parsons on behalf of Creditor The County of Henderson, Texas
jparsons@mvbalaw.com,
karla.alexander@mvbalaw.com; theresa.king@mvbalaw.com; juanie.montalvo@mvbalaw.com; julie.parsons@ecf.courtdrive.com

Julie Anne Parsons on behalf of Creditor The County of Stephens, Texas
jparsons@mvbalaw.com,
karla.alexander@mvbalaw.com; theresa.king@mvbalaw.com; juanie.montalvo@mvbalaw.com; julie.parsons@ecf.courtdrive.com

Michael P. Ridulfo on behalf of Creditor BankFinancial, N.A.
mridulfo@krcl.com,
rcoles@krcl.com; scallier@krcl.com; mridulfo@ecf.courtdrive.com

Scott M. Seidel -SBRA V
scott@scottseidel.com,
csms11@trustesolutions.net; susan.seidel@earthlink.net

Dawn Whalen Theiss on behalf of Creditor Small Business Administration
dawn.theiss@usdoj.gov,
broke.lewis@usdoj.gov; CaseView.ECF@usdoj.gov

United States Trustee
ustregion06.da.ecf@usdoj.gov

David Weitman on behalf of Creditor Vertical Bridge REIT, LLC
david.weitman@klgates.com

REGULAR MAIL LIST

A	B	C	D	E	F	G	H	I
1	SERVICE LIST	Case No. 24-70089	In re: High Plains Radio Network LLC			UPDATED:	8/14/2024	
2	C:\Users\journeth\ND Office Echo\VAULT-CH7ZTY\service list (bprn) 081 4878-4499-4995 v.1.4.xlsx Sheet1							
	Name	Address1	Address2	Address3	City	State	Zip	Email
								Method of Service / Comment
3	Amur Equipment Finance	c/o Matthew F. Kye	Kye Law Group, P.C.	201 Old Country Road, Suite 120	Melville	NY	11747	mkye@kyelaw.com
4	ASAP	250 West 58th Street			New York	NY	10107	alexandre@asap.com
5	Balboa Capital Corporation	c/o Owen C. Balcock	Padfield & Stout LLP	100 Throckmorton St., #700	Fert Worth	TX	76102	obalcock@padfieldstout.com
6	BankFinancial, N.A.	c/o Michael P. Ridolfo	Kane Russell Coleman Logan PC	5151 San Felipe, Suite 800	Houston	TX	77056	mridolfo@krcd.com
7	BankFinancial, N.A.	c/o Jekayla Dabbers	Kane Russell Coleman Logan PC	5151 San Felipe, Suite 800	Houston	TX	77056	jdabbers@krcd.com
8	Blue Bridge Financial, Inc.	11921 Freedom Drive	Suite 1130		Reston	VA	20190-1192	ajay@bluebridgefinancial.com
9	BMI	PO Box 630899			Cincinnati	OH	45203-0899	carriques-ohien@bmi.com
10	Broadcast Music, Inc.	7 World Trade Center	250 Greenwich St		New York	NY	10007	carriques-ohien@bmi.com
11	Bryn Mawr Equipment Finance Inc.	801 Lancaster Avenue			Danville	PA	19010-9305	william.vermette@brynmawr.com
12	Calica Partnership d/b/a Verizon Wireless	William M Vermette	22001 Loudoun County Pkwy		Ashburn	VA	20147	william.vermette@verizon.com
13	Channel Partners Capital LLC	Attn Legal Department	1111 E College Drive	Suite 200	Marshall	MI	50258-1908	
14	City of Altus	509 S Main St			Altus	OK	73521-9135	
15	City of Frisno	629 Main St			Frisno	TX	78025	
16	City of Hartford	PO Box 2277			Hartford	TX	79045-2277	
17	City of Plainview	202 W 5th			Plainview	TX	79072-6232	
18	City of Vernon	1725 Wilberger St			Vernon	TX	76084-4741	
19	Crest Capital	PO Box 86209			Atlanta	GA	30355-6209	
20	CT Corp. Sys.	Attn: SPRS	380 N Brand Blvd		Glendale	CA	91203-2908	
21	D&D Telecommunications	PO Box 6988			Abilene	TX	79608	
22	Eastland County Appraisal District	c/o Julie Parsons	McCreary, Veselka, Bragg & Allen, PC	P.O. Box 1269	Round Rock	TX	78680-1269	jparsons@mvbalaw.com
23	Eastland County Appraisal District	c/o Julie Anne Parsons	McCreary, Veselka, Bragg & Allen, P.C.	PO Box 1269	Round Rock	TX	78680-1269	julie.parcson@mvbalaw.com
24	Entergy Utility	PO Box 8105			Baton Rouge	LA	70891-8105	
25	Federal Communications Com.	451 L Street NE			Washington	DC	20554-0001	
26	Financial Agent Services	PO Box 2576			Springfield	IL	62708-2576	
27	First State Bank Athens	PO Box 471			Athens	TX	75751-0471	
28	Global Music Rights	1801 W Olympic Blvd			Pasadena	CA	91199-2280	
29	Hanni Bank	5403 Olympic Dr. #200			Sig Harbor	WA	98335-1853	
30	Hanni Bank	1107 E Pioneer Parkway			Arlington	TX	76010-5866	
31	Hanni Bank	Attn: Paul Cross Esq.	11300 N. Central Expressway Ste. 604		Dallas	TX	75243	phcross@mgp.com
32	Hanni Bank	11300 North Central Expressway	Suite 604		Dallas	TX	75243	phcross@mgp.com
33	Hanson LaPate	c/o Kent M. Hansen	14201 Memorial Dr		Houston	TX	77078-6781	khansen@hansonlaporte.com
34	High Plains Radio Network, LLC	PO Box 1419			Vernon	TX	76985-1419	
35	High Plains Radio Network, LLC	c/o Aaron Wagner	Kabat Chapman & Camer, LLP	171 17th Street NW, Suite 1550	Atlanta	GA	30363	awagner@hcaflaw.com
36	Hitech Capital America Corp.	7808 Creekside Circle	Suite 250		Edina	MN	55439-2647	
37	Heart Media	20880 Stone Oak Parkway	3rd Floor		San Antonio	TX	78258	broddebartverton@heartmedia.com
38	Internal Revenue Service	Centralized Insolvency Operation	PO Box 7317		Philadelphia	PA	19101-7317	
39	Internal Revenue Service	PO Box 7344			Philadelphia	PA	19101-7344	
40	Internal Revenue Service	1100 Commerce Street	M/S MCS027DAL		Dallas	TX	75242	
41	Jeffery D. Carruth	Weyer Kaplan Pulaski & Zuber, P.C.	2608 Hibernia	Suite 105	Dallas	TX	75204-2514	jcarruth@wlpz.com
42	Liberty Mutual Insurance	175 Berkeley Street			Boston	MA	02116-3950	
43	Life Systems	PO Box 7239			Abilene	TX	79608	
44	LifeFund Solutions	99 Wall St #2613			New York	NY	10005-4901	
45	M Properties	2627 West Road			Mtn. Home	AR	72559	
46	Malakoff ISD	Unebarger Guggen Blair & Sampson, LLP	2777 N. Stemmons Freeway, Suite 1000		Dallas	TX	75207	dallas.hacknugget@gbg.com
47	Malakoff ISD	Unebarger Guggen Blair & Sampson, LLP	c/o Sherral K. Knighton	2777 N Stemmons Fwy, Ste. 1000	Dallas	TX	75207-2328	sherral.knighton@gbg.com
48	Marlin Lease Corp	300 Fellowship Rd			Mount Laurel	NJ	08054	
49	Marlin Leasing Corp	300 Fellowship Rd			Mount Laurel	NJ	08054-1727	
50	Media Facilities	1740 Dell Range Blvd. #418			Cheney	WY	82009-4961	
51	Meridian	367 Eagleview Blvd.			Eden	PA	15941-1156	
52	Meridian Equipment Finance LLC	9 Old Union Highway			Malvern	PA	19355-2551	
53	Meridian Equipment Finance, LLC	c/o Sarah L. Law Esq.	1040 Krong Highway N, Ste. 100		Cherry Hill	NJ	08034	modewell@esqllaw.com
54	Midland States Bank	1801 Park 270 Drive	Suite 200		St. Louis	MO	63146-4022	
55	Midland States Bank d/b/a Midland Equipment	c/o Christopher V. Artso	Padfield & Stout, LLP	100 Throckmorton St., #700	Fert Worth	TX	76102	artso@padfieldstout.com
56	Mitsubishi HC	7201 Metro Blvd. Ste 800			Edina	MIN	55439-1389	
57	Mitsubishi HC Capital America, Inc.	c/o Jacob Sellers	825 Nicollet Mall, Suite 1648		Minneapolis	MIN	55400	jacob@greentinsellers.com
58	Monte Spearman	4837 Silverwood Dr.			Johntown	CO	80534	direct email
59	Monte Spearman	PO Box 3649			Palestine	TX	75602	
60	New Lane Fin. S-M	801 Lancaster Ave			Bryn Mawr	PA	19010-9305	
61	North Arkansas Electric	PO Box 1000			Salem	AR	72575-1000	
62	Optimum Telephone	1111 Stewart Ave.			Bethpage	NY	11714-9581	
63	Pewee Leasing Corporation	3801 Automation Way #207			FT Collins	CO	80525-5795	

	A	B	C	D	E	F	G	H	I
1	SERVICE LIST	Case No. 24-70089	In re: High Plains Radio Network LLC				UPDATED:	6/14/2024	
2	C:\Users\jcarroth\ND Office Echo\VAULT-CP 91721\service list (bprn) 081.4878-4499-4995 v.1.4.xlsx\sheet1								
3	Name	Address1	Address2	Address3	City	State	Zip	Email	Method of Service / Comment
65	Pawnee Lending Corporation	c/o John T. Easter	Padfield & Stout, LLP	100 Throckmorton St., #700	Fort Worth	TX	76102	eeaster@padfieldstout.com	NOA-ECF
66	Regions Bank d/b/a Ascentum Capital	23970 US 59 North			Kingwood	TX	77339	trivalemond@ascentumcapital.com	Regular Mail
67	SBA Covid-19 Disaster Loan	PO Box 3916			Portland	OR	97208-3916		NOA-ECF
68	Small Business Administration	c/o Dawn Whalen Theiss, Asst. US Attny	1100 Commerce Street, 3rd Fl		Dallas	TX	75242-1699	dawn.theiss@usdoj.gov	NOA-ECF
69	Scott M. Seidel -SBA V	Seidel Law Firm	8505 West Park Blvd	Suite 306	Piano	TX	75093-6212	scott@scottseidel.com	NOA-ECF
70	SecureNet	101 N Federal HWY Ste 601			Boca Raton	FL	33432-3969		Regular Mail
71	SESAC	PO Box 5246			New York	NY	10008-5246		Regular Mail
72	South Plains Communications	5811 34th St			Lubbock	TX	79407		Regular Mail
73	Summit	4680 Parkway Dr #300			Mason	OH	45040-7979		Regular Mail
74	Summit Natural Gas	PO Box 676958			Dallas	TX	75267-6958		Regular Mail
75	Texas Comptroller	Rev Acct Div- Bankruptcy Section	PO Box 13528		Austin	TX	78711-3528		Regular Mail
76	The County of Henderson, Texas	c/o Julie Anne Parsons	McCreary Veselka Bragg & Allen, P.C.	P.O. Box 1269	Round Rock	TX	78680-1269	jparsons@mvbalaw.com	NOA-ECF
77	The County of Henderson, Texas	McCreary, Veselka, Bragg & Allen, P.C.	PO Box 1269		Round Rock	TX	78680-1269	julie.parsons@mvbalaw.com	NOA-ECF
78	The County of Stephens, Texas	c/o Julie Anne Parsons	McCreary Veselka Bragg & Allen, P.C.	P.O. Box 1269	Round Rock	TX	78680-1269	jparsons@mvbalaw.com	NOA-ECF
79	The County of Stephens, Texas	McCreary, Veselka, Bragg & Allen, P.C.	PO Box 1269		Round Rock	TX	78680-1269	julie.parsons@mvbalaw.com	NOA-ECF
80	The Fundworks	299 S. Main St. #1300			Salt Lake City	UT	84111-2241		Regular Mail
81	The Fundworks LLC	c/o Dedicated Financial GBC	4000 Lexington Ave N, Suite 125		Shoreview	MN	55126	bankruptcy@dedicatedgbc.com	NOA-ECF
82	Titan Tower	PO Box 6972			Abilene	TX	79608		Regular Mail
83	Turbo Capital	2309 N Market St			Wilmington	DE	19802-4280		Regular Mail
84	TXU Utility	PO Box 650638			Dallas	TX	75265-0638		Regular Mail
85	U.S. Bank Equipment Finance	1310 Madrid Street			Marshall	MN	56258-4099		Regular Mail
86	U.S. Small Business Admin	150 Westpark Way	Suite 130		Eules	TX	76040	rahkshah.sullivan@sba.gov	NOA-ECF
87	U.S. Small Business Administration	1545 Hawkins Blvd Ste 202			El Paso	TX	79925-2654		NOA-ECF
88	U.S. Small Business Administration	c/o Dawn Whalen Theiss	1100 Commerce St Ste 300		Dallas	TX	75242	dawn.theiss@usdoj.gov	NOA-ECF
89	United First LLC	2999 NE 191st St			Miami	FL	33180-3128		Regular Mail
90	United First, LLC	27-01 Queens Plaza North,	Suite 802		Long Island City	NY	11101	skaminski@kaminskilawpllc.com	NOA-ECF
91	United Funding	1835 E Hollendale Beach BLVD			Holldendale Beach	FL	33009-4619		NOA-ECF
92	Union Funding Source, Inc.	Shanna M. Kaminski	Kaminski Law, PLLC	P.O. Box 247	Gress Lake	MI	49240	skaminski@kaminskilawpllc.com	NOA-ECF
93	United States Trustee	1100 Commerce Street	Room 976		Dallas	TX	75242-0936	etm.schmidt@usdoj.gov	NOA-ECF
94	U.S. Bank N.A. d/b/a U.S. Bank Equipment Finance	1310 Madrid Street			Marshall	MN	56258		Regular Mail
95	Verizon Cell Phone	PO Box 660108			Dallas	TX	75266-0108		Regular Mail
96	Vertical Bridge RBT LLC	750 Park of Commerce Dr #200			Boca Raton	FL	33487-3650		NOA-ECF
97	Vertical Bridge RBT LLC	Brandy A. Sargent	K&L Gates	One SW Columbia St., Ste 1900	Portland	OR	97204	brandy.sargent@klgates.com	NOA-ECF
98	Vertical Bridge RBT LLC	David Weltman	K&L Gates	1717 Main Street Suite 2800	Dallas	TX	75201	david.weltman@klgates.com	NOA-ECF
99	Vertical Bridge RBT LLC	David R. Ospevich	K&L Gates	210 Sixth Ave	Pittsburgh	PA	15222	david.ospevich@klgates.com	NOA-ECF
100	Wintrust Specialty Finance	2050 Main Street	Suite 230		Irvine	CA	92614	lschacht@wintrust.com	Regular Mail
101	Wintrust Specialty Finance	PO Box 3892			Seattle	WA	98124		Regular Mail
102	Xcel Energy	Attn Bankruptcy Department	Po Box 9477		Minneapolis	MN	55484-0061		Regular Mail
103	Zula Com	PO Box 3649			Palestine	TX	75802-3649		direct email

PROPOSED INTERIM ORDER

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

IN RE:	§	
	§	
HIGH PLAINS RADIO NETWORK, LLC,	§	CASE NO. 24-70089-swe
	§	(Chapter 11, SubV)
DEBTOR.	§	
	§	

**INTERIM ORDER EXTENDING USE CASH COLLATERAL AND
NOTICE OF FINAL HEARING (RE: DOCKET NO. ____)**

On December ____, 2024, the Court conducted a hearing regarding the *Motion to Extend Use of Cash Collateral* (Docket No. ____) (the “Motion to Use Cash Collateral” or the “Motion”) filed herein on December 12, 2024 by High Plains Radio Network LLC, debtor and debtor in possession (“HPRN” or the “Debtor”).

The Court finds that HPRN provided due and appropriate notice of the Motion, the relief requested therein, and the hearing (the “Notice”) has been served by the Debtor on (i) the Office of the United States Trustee for Region 6, (ii) the parties listed in the matrix filed in this case, (iii) any persons possessing a security interest in the assets of the Debtor and any person possessing a security interest in the cash collateral of the Debtor; (iv) certain other parties identified in the certificate of service filed with the Court (collectively, the “Noticed Parties”).

Upon the record established at the hearing and/or prior hearings, the Court is of the opinion that the following Order should be entered.

THE COURT HEREBY MAKES THE FOLLOWING FINDINGS OF FACTS AND CONCLUSIONS OF LAW:

- A. On March 26, 2024 (the “Petition Date”), the Debtor filed its voluntary petition under Chapter 11 of the United States Bankruptcy Code, 11 U.S.C. § 101 et seq. (the “Code”). The Debtor continues to manage its assets as a debtor in possession pursuant to Code §§ 1107 and 1108.
- B. The Court has jurisdiction over this proceeding and the parties and property affected hereby pursuant to 28 U.S.C. §§ 157(b) and 1334. The Motion is a core proceeding as defined in 28 U.S.C. § 157(b). Venue of the Chapter 11 Case and the Motion in this district is proper under 28 U.S.C. §§ 1408 and 1409.
- C. Under the circumstances, the Notice given by the Debtor of the Motion and the hearing constitutes due and sufficient notice thereof and complies with Bankruptcy Rule 4001(c).
- D. Debtor’s primary creditor with respect to cash collateral is the Small Business Administration (the “SBA” or the “Lender”).
- E. The Lender likely asserts an interest in, inter alia, the accounts, equipment, and inventory of the Debtor.
- F. Sufficient cause exists for immediate entry of this order pursuant to Bankruptcy Rules 4001(c)(2). The Debtor requires continued access to and use of the Cash Collateral in order to continue normal business operations.
- G. No party appearing in this Chapter 11 Case has filed or made an objection to the relief sought in the Motion and the entry of this order on an interim basis, or any objections that were made are hereby overruled, or have been resolved by agreement.

Based upon the foregoing, and after due consideration and good cause appearing therefor;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that:

- 1. The Motion is granted on a interim basis.
- 2. The cash and revenue generated by the Debtor post-petition are available for use by the Debtor as provided in this Order.
- 3. As set forth below, the Debtor is authorized to use Cash Collateral under the terms of the budget, attached hereto as **Exhibit H046** (the “Budget”). The expenses of the Debtor shall not exceed 25% within **Exhibit H046** per line item category, absent the written consent of the Lender, which consent shall not be unreasonably withheld.
- 4. This authorization will expire on upon conclusion of the last week set forth in the Budget. The Debtor may seek to extend this authorization by subsequent motion, notice, and opportunity for a hearing.

5. This order does not authorize the Debtor to pay any prepetition obligations without further order of this Court.

6. During the period governed by this order, the Debtor must maintain an accounting of all funds and the Debtor shall segregate, remit, and deposit all of the Cash Collateral consistent with the Debtor's past and ordinary practices.

7. Nothing contained in this Order limits the expenditure of any cash in the possession of the Debtor that is not Cash Collateral.

8. As adequate protection for any diminution in the value of the Lender's interest in the Lender's collateral caused by the Debtor's use of Cash Collateral, the Lender is hereby granted valid, perfected, and enforceable replacement security interests in and liens upon the collateral referenced and described in the prepetition UCC-1 financing statement filed by the Lender with the Texas Secretary of State, only to the same extent and according to the same priority as the Lender's pre-petition lien position, and only to the extent of (x) the use of any Cash Collateral in which the Lender has an interest in excess of the Budget and (y) any actual diminution in the value of the Debtor's interest(s) in the Debtor's property resulting from the use of Cash Collateral (the "Post-petition Collateral"). The security interests and liens granted to the Lender shall at all times be senior to the rights of the Debtor and any successor trustees in these or any subsequent proceedings under the Code to the extent that the Lender's prepetition security interests and liens are senior to the rights of the Debtor. The security interests and liens herein granted (i) are and shall be in addition to all security interests, liens, mortgages, and rights to set off existing in favor of the Lender, on the Petition Date; (ii) in the same priority as the prepetition liens in favor of the Lender to the extent that prepetition liens and security interests are valid, perfected, enforceable, and non-avoidable; (iii) are and shall be valid, perfected, enforceable, and effective as of the Petition Date without any further action by the Debtor or the Lender and without the execution, filing, or recordation of any financing statements, security agreements, or other documents, and (iv) shall secure payment of principal as well as any interest, costs, or other charges to which the Lender may be entitled post-petition, but only to the extent that these items represent a diminution in value of the Lender's interest in its collateral.

9. To the extent of any inadequacy of the Post-petition Collateral with respect to the maintenance of position of the Lender, then, as further adequate protection, the Lender shall also be entitled to assert an administrative expense claim under Code §§ 361(3) and 503(b)(1).

10. This order shall be sufficient and conclusive evidence of the priority, perfection, and validity of the liens granted herein, effective as of the date and time of entry of this order, without any further act and without regard to any other federal, state, or local requirements or law requiring notice, filing, registration, recording, or possession of the collateral or other act to validate or perfect such security interest or lien. If the Lender hereafter requests that the Debtor execute and deliver to the Lender financing statements, instruments, or documents considered by the Lender to be necessary or desirable to further evidence the perfection of the replacement liens and security interests granted in this order, the Debtor is authorized and directed to execute and deliver those financing statements, instruments, or documents. Nothing in this Order shall in any way restrict the scope of the Lender's pre-petition liens, security interests, rights of set-off,

or claims with respect to its collateral, and all liens, security interests, and mortgages on the Lender's collateral shall extend to the fullest extent permitted by Code § 552(b).

11. The replacement liens granted to the Lender herein exclude and shall not encumber any Code Chapter 5 avoidance claims of the Debtor and/or of the estate.

12. The liens on the Lender's Post-petition Collateral are subordinated to fees payable to the Subchapter V Trustee. The Debtor is also authorized to pay the Subchapter V Trustee interim compensation in accordance with the *Scheduling Order and Notice of Status Conference*. (Docket No.18).

13. The terms of this Order shall in no way prejudice any (i) subsequent trustee, (ii) statutory committee or (iii) any party in interest that would otherwise have standing, to contest the pre-petition interests of the Lender in the Debtor's property and the amounts of the Debtor's indebtedness to the Lender.

14. The final hearing on the Motion pursuant to Bankruptcy Rule 4001(c)(2) is scheduled for _____, **2025, AT 9:30 A.M.** prevailing Central time (the "Hearing Date") before this Court.

The final hearing will be conducted via a hybrid format. *Parties who will be offering evidence or participating in examination must make in-person appearances* in Judge Everett's courtroom located at US Federal Courthouse, 1100 Commerce Street, 14th Floor, Courtroom #3, Dallas, TX 75242; other interested parties may make Webex appearances. **INSTRUCTIONS FOR WEBEX HEARING PARTICIPATION APPEAR AT THE END OF THIS ORDER.**

For WebEx Video Participation/Attendance:	https://us-courts.webex.com/meet/everett
For WebEx Telephonic Participation/Attendance:	Dial-In: 1-650-479-3207 Access Code: 2304 017 9738

The Debtor shall promptly mail copies of this order to the Noticed Parties. Any party in interest objecting to the relief sought at the final hearing shall serve and file written objections, which objections shall be served upon (a) counsel for Debtor – Jeff Carruth, Weycer, Kaplan, Pulaski & Zuber, P.C., and (b) counsel to the Lenders as shown below,

Dawn Whalen Theiss
Assistant United States Attorney
1100 Commerce St., Ste. 300
Dallas, Texas 75242
dawn.theiss@usdoj.gov

and (c) the Office of the U.S. Trustee for Region 6 to Erin Schmidt, at erin.schmidt2@usdoj.gov, and (d) the SubChapter V Trustee, Scott Seidel, at scott@scottseidel.com (collectively, the "Core

Notice Parties”), and shall be filed with the Clerk of the United States Bankruptcy Court for the Northern District of Texas.

15. Notwithstanding any other provisions of this Order, or any agreements approved hereby, any statutory ad valorem tax liens (collectively, the “Tax Liens”) held by any taxing authority in the State of Texas (the “Taxing Authorities”) for prepetition and postpetition ad valorem taxes shall not be primed nor made subordinate to any liens or superpriority administrative expense claims granted to any party hereby to the extent such Tax Liens are valid, senior, perfected, and unavoidable, and all parties’ rights to object to the priority, validity, amount, and extent of the claims and liens asserted by the Taxing Authorities are fully preserved.

16. As adequate protection, the Debtor shall remit to Union Funding Source, Inc the amount of \$1,000 per week beginning the week of April 8, 2024. Each of the Debtor, the SBA, and Union Funding Source, Inc (“Union Funding”) reserve all facts, claims, issues, rights, remedies, and/or defenses with respect to ownership of the receivables of the Debtor as asserted in the documents attached to the pleading(s) of Union Funding and including whether Union Funding is entitled under such documents or otherwise to retain such adequate protection payments. Such amounts are authorized as part of and/or in addition to the Budget.

17. As adequate protection, the Debtor shall remit to the SBA adequate protection payments of \$180.00 per month, on or before the last day of each month, commencing with the month of April, 2024. Such amounts are authorized as part of and/or in addition to the Budget.

18. **FURTHER EXTENSIONS OF AUTHORITY BY FILING AND SERVING NOTICE AND BUDGET.** With and after the entry of a final order, the Debtor may extend the authority to use cash collateral beyond the final order on the Motion by filing and serving to the parties in receipt of this Motion a notice of proposed extension of cash collateral and a proposed budget, with each budget covering no more than a five (5) week period. Any party objecting to the proposed use of cash may file an objection within fourteen (14) days from the date of the filing of the notice and the budget, and shall serve any such objection to the Core Notice Parties. Upon the filing of an objection, the Debtor shall request that an expedited hearing be set to resolve the objection.

####END OF ORDER####

Submitted by:

Jeff Carruth (TX SBN: 24001846)
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ATTORNEYS FOR
HIGH PLAINS RADIO NETWORK, LLC,
DEBTOR AND DEBTOR IN POSSESSION

EXHIBIT H046 - BUDGET 13 WEEK THROUGH Jan 27 WEEK

High Plains Radio Network													
13-week budget. No admission of liability.													
Calendar Start of Week	11/4/2024	11/11/2024	11/18/2024	11/25/2024	12/2/2024	12/9/2024	12/16/2024	12/23/2024	12/30/2024	1/6/2025	1/13/2025	1/20/2025	1/27/2025
Week:	1	2	3	4	5	6	7	8	9	10	11	12	13
Start Cash	3,965	23,965	15,965	36,609	3,459	23,459	(4,541)	16,103	(16,047)	3,953	(24,047)	(9,547)	(30,553)
Receipts													
Operating income	20,000	40,000	40,000	30,000	20,000	20,000	40,000	30,000	20,000	20,000	30,000	40,000	40,000
Total Cash Receipts	23,965	63,965	55,965	66,609	23,459	43,459	35,459	46,103	3,953	23,953	5,953	30,453	9,447
Operating Expenses													
Payroll	0	(45,000)	0	(35,000)	0	(45,000)	0	(35,000)	0	(45,000)	0	(35,000)	0
Utilities & Leases & Ins.	0	0	0	(17,150)	0	0	0	(17,150)	0	0	0	(17,150)	0
Programming Related	0	0	(13,000)	0	0	0	(13,000)	0	0	0	(13,000)	0	0
Vertical Bridge Leases	0	0	(2,500)	(5,000)	0	0	(2,500)	(5,000)	0	0	(2,500)	(5,000)	0
Corp & Ins & Admin.	0	(3,000)	0	0	0	(3,000)	0	0	0	(3,000)	0	0	0
Total OpEx	0	(48,000)	(15,500)	(57,150)	0	(48,000)	(15,500)	(57,150)	0	(48,000)	(15,500)	(57,150)	0
Prof. Fees/Admin. Expenses													
WKPZ	0	0	0	(6,000)	0	0	0	(5,000)	0	0	0	0	(5,000)
Settlment PMTS	0	0	0	0	0	0	0	0	0	0	0	0	0
Hanmi Bank - AMUR	0	0	(1,000)	0	0	0	(1,000)	0	0	0	0	(1,000)	0
A.P. reserve	0	0	(1,000)	0	0	0	(1,000)	0	0	0	0	(1,000)	0
A.P. reserve	0	0	(540)	0	0	0	(540)	0	0	0	0	(540)	0
SBA	0	0	(316)	0	0	0	(316)	0	0	0	0	(316)	0
SubV Trutsee	0	0	(1,000)	0	0	0	(1,000)	0	0	0	0	(1,000)	0
Total Prof. Fees/Admin. Exp,	0	0	(3,856)	(6,000)	0	0	(3,856)	(5,000)	0	0	0	(3,856)	(5,000)
Total Disbursements	0	(48,000)	(19,356)	(63,150)	0	(48,000)	(19,356)	(62,150)	0	(48,000)	(15,500)	(61,006)	(5,000)
Net Cash Flow	23,965	15,965	36,609	3,459	23,459	(4,541)	16,103	(16,047)	3,953	(24,047)	(9,547)	(30,553)	4,447

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